

# MISSOURI COURT OF APPEALS WESTERN DISTRICT

STATE OF MISSOURI,

Appellant,

v.

FREDRICK WILLIAMS,

Respondent.

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DOCKET NUMBER WD78971

**Date: April 12, 2016**

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Appeal from:  
Johnson County Circuit Court  
The Honorable William B. Collins, Judge

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Appellate Judges:  
Division One: Lisa White Hardwick, Presiding Judge, Victor C. Howard and Gary D. Witt, Judges

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Attorneys:  
Adam H. King, Warrensburg, MO for appellant.  
William D. Langston, Olathe, KS for respondent.

# **MISSOURI APPELLATE COURT OPINION SUMMARY**

## **COURT OF APPEALS -- WESTERN DISTRICT**

**STATE OF MISSOURI**  
**West**

**Appellant,**

**v.t**

**FREDRICK WILLIAMS,**

**Respondent.**

WD78971

Johnson County

Before Division One: Lisa White Hardwick, Presiding Judge, Victor C. Howard and Gary D. Witt, Judges

The State appeals the circuit court's order suppressing evidence found in the trunk of a vehicle driven by Fredrick Williams. The State contends the court erred in suppressing the evidence because Williams does not have standing to challenge the search of a vehicle that he does not own. The State argues that Williams cannot be aggrieved by an unlawful search of another's vehicle.

**AFFIRMED.**

Division One holds: To have standing to challenge the search of a vehicle, a non-owner driver must offer sufficient evidence indicating that he has the owner's permission to possess or control the vehicle. Because Williams was driving his girlfriend's car while she slept in the front passenger seat, there was sufficient evidence that Williams had the owner's permission to control the vehicle. Accordingly, Williams had a reasonable expectation of privacy in the vehicle and standing to challenge the search.

Opinion by: Lisa White Hardwick, Judge

April 12, 2016

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